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ex rel Board of Regents of the Nevada System  
of Higher Education on behalf of the  
University of Nevada, Las Vegas and  
Lori Olafson*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEVADA**

ROBERT HOOT,

Plaintiff,

vs.

THE STATE OF NEVADA, EX REL.  
BOARD OF REGENTS OF THE NEVADA  
SYSTEM OF HIGHER EDUCATION ON  
BEHALF OF THE UNIVERSITY OF  
NEVADA, LAS VEGAS; LORI OLAFSON,  
an individual,

Defendants.

CASE NO.: 2:15-CV-00175-RFB-PAL

**DEFENDANT'S MOTION TO EXTEND  
TIME TO FILE A RESPONSIVE  
PLEADING  
(First Request)**

Defendant, the State of Nevada ex rel Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, Las Vegas (“UNLV” or “**University**”), by and through counsel, Debra L. Pieruschka, Esq., Assistant General Counsel, University of Nevada, Las Vegas, Office of General Counsel (“**University OGC**”), hereby moves this Honorable Court pursuant to Fed. R. Civ. P. 6 and L.R. 6-1 for an order enlarging and extending the time for Defendant UNLV to file a responsive pleading from April 6, 2015 to April 17, 2015. The reasons in support of this motion are fully set forth in the following Memorandum of Points and

1 Authorities, the pleadings and papers on file herein, and any oral argument to be made at the  
 2 hearing on this matter.

3 **MEMORANDUM OF POINTS AND AUTHORITIES**

4 Defendant UNLV seeks approval of this Court to grant it an extension of time, up to and  
 5 including April 18, 2015 to file a responsive pleading to Plaintiff's Complaint. On January 30,  
 6 2015, Plaintiff filed his Complaint against the University and Dr. Lori Olafson ("**Olafson**")  
 7 alleging Defendants deprived him of his First Amendment right of free speech, right of assembly,  
 8 and right to petition the government for redress of his grievances. [**Doc. 1**]. Plaintiff's Complaint  
 9 was subsequently amended on March 12, 2015 to properly name the University. [**Doc. 5**].  
 10 University OGC represents both Defendants, UNLV and Dr. Olafson.

11 On March 2, 2015, University OGC on behalf of Defendant Olafson, executed a signed  
 12 Waiver of the Service of Summons giving her sixty (60) days from February 17, 2015 to file a  
 13 responsive pleading. Thereby, Defendant Olafson had up to and including April 18, 2015 to file a  
 14 responsive pleading. Pursuant to Nevada Revised Statute 41.031, Plaintiff, to effectuate proper  
 15 service on UNLV, had to serve both the State of Nevada, Office of Attorney General ("**AG**") and  
 16 the Chancellor for the Nevada System of Higher Education ("**Chancellor**"). Plaintiff served his  
 17 original Complaint on the AG and Chancellor on February 23, 2015 and February 19, 2015,  
 18 respectively. After amending his complaint, Plaintiff re-served his Amended Complaint on the  
 19 University on March 11, 2015 by U.S. Mail. Thereby, UNLV had up to and including April 6,  
 20 2015 to file a responsive pleading.

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1 Rule 6(b)(1) permits a court to extend the time to complete an act, if a request is made  
2 before the original time expires. FED. R. CIV. P. 6(b)(1)(A). Here, University OGC represents  
3 both Defendants. The request to extend the time to file a responsive pleading would allow the  
4 Defendants to file a consolidated response to Plaintiff's Complaint. There would be no prejudice  
5 to Plaintiff because this matter is in the early stages of litigation. As such, Defendant UNLV  
6 respectfully requests this Court grant its Motion to extend time to allow it to file a responsive  
7 pleading up to and including April 18, 2015 in concert with Defendant Olafson.

8 DATED: APRIL 6, 2015.

9  
10 /S/ DEBRA L. PIERUSCHKA

11 DEBRA L. PIERUSCHKA

12 Assistant General Counsel

13 Nevada Bar No. 10185

14 UNIVERSITY OF NEVADA, LAS VEGAS

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19 *Attorneys for Defendants*

20 IT IS SO ORDERED this 15th day  
21 of April, 2015.

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Peggy A. Leen

United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I certify that on this date, April 6, 2015, I served the following **DEFENDANT'S MOTION TO EXTEND TIME TO FILE A RESPONSIVE PLEADING (First Request)** via U.S. Mail - First Class Prepaid Postage and electronic service on the date and to the address(es) shown below:

Robert Hoot  
P.O. Box 546  
Pahrump, NV 89041  
*Plaintiff, in pro se*

/S/ Erika M. Noltie  
Erika M. Noltie, an employee of the  
University of Nevada, Las Vegas